

REMARKS

Claims 1-4, 9-20, and 27-42 are pending. Claims 1, 3, 4, and 9-20 have been amended, claims 5-8 and 21-26 have been canceled, and new claims 27-42 have been added to recite additional features of the embodiments disclosed in the specification.

At the outset, Applicants would like to thank the Examiner for graciously extending Applicants' representative an interview to discuss the rejections in the Office Action. During the interview, differences between the embodiments disclosed in the specification and the cited references were discussed, particularly with respect to the Copp patent and Thomaschew publication. Amendments were then proposed for emphasizing these differences. At the conclusion of the interview, the Examiner indicated that he would postpone his decision concerning the allowability of the claims pending consideration of this paper.

In the Final Office Action, claims 1-4, 6, 7, and 9-14 were rejected under 35 USC § 103(a) for being obvious in view of a Copp-Thomaschew combination. Applicants request the Examiner to withdraw this rejection for the following reasons.

The Copp patent discloses a shroud 64 which has four inclined surfaces.

The Thomaschew publication discloses a shroud having surfaces extending from multiple sides. All the surfaces that extend from this shroud have the same shape, i.e., triangular.

However, neither reference teaches or suggests the features added by amendment to claim 1, whether those references are taken alone or in combination. More specifically, neither reference teaches or suggests a shroud having (1) a first surface with a predetermined number of sides greater than four, (2) a first number of planes that extend from respective ones of a first

plurality of sides of the first surface at one or more first angles, and (3) a second number of planes that extend from respective ones of a second plurality of sides of the first surface at one or more second angles, wherein the first number of planes have a same first geometrical shape and the second number of planes have a same second geometrical shape different from the first geometrical shape. (See, for example, Figure 5 of the application drawings for support).

Based on these differences, it is respectfully submitted that claim 1 is allowable over a Copp-Thomaschew combination. Furtherance of claim 1 and its dependent claims to allowance is respectfully requested.

New claims 27-42 have been added to the application.

Claim 27 recites that “the first geometrical shape has a different number of sides than the second geometrical shape.” (See, for example, Figure 5 for support). These features are not taught or suggested by the cited references, whether taken alone or in combination. For example, the Copp shroud only has 4 sides, not the required number of greater than four sides recited in claim 1. And, the Thomaschew publication only has triangular shaped planes. The features of claim 27, therefore, are not taught or suggested by Copp and Thomaschew, whether taken alone or in combination.

Claim 28 recites that “the first number of planes and the second number of planes are disposed in an alternating arrangement relative to the first surface of the shroud.” (See, for example, Figure 5 for support). These features are not taught or suggested by the cited references, whether taken alone or in combination.

Claim 29 recites that “points of the first number of planes are disposed between respective sides of the second number of planes in said alternating arrangement.” (See, for example, Figure 5 for support). These features are not taught or suggested by the cited references, whether taken alone or in combination.

Claim 30 recites that “the first number of planes and the second number of planes join to form a rectangular peripheral edge of the shroud that is spaced from the first surface of the shroud by a predetermined distance.” (See, for example, Figure 5 for support). These features are not taught or suggested by the cited references, whether taken alone or in combination.

Claim 31 recites that “the predetermined distance corresponds to a distance between a first edge and an opposing first point of at least one of the first number of planes.” (See, for example, Figure 5 for support). These features are not taught or suggested by the cited references, whether taken alone or in combination.

Claim 32 recites that “the predetermined distance corresponds to a distance between a first edge and an opposing second edge of at least one of the second number of planes.” (See, for example, Figure 5 for support). These features are not taught or suggested by the cited references, whether taken alone or in combination.

Claim 33 recites that “the one or more first angles are different from the one or more second angles.” (See, for example, Figure 5 for support). These features are not taught or suggested by the cited references, whether taken alone or in combination.

Claims 34-42 define a shroud of an axial fan having features similar to those in new claims 27-33.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and timely allowance of the application is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
KED & ASSOCIATES, LLP

/ Samuel W. Ntiros/

Daniel Y. J. Kim
Registration No. 36,186

Samuel W. Ntiros
Registration No. 39,318

P.O. Box 221200
Chantilly, Virginia 20153-1200
(703) 766-3777 DYK/SWN/krf
Date: July 1, 2009

Please direct all correspondence to Customer Number 34610

\\Fk4\Documents\2000\2000-940\190317.doc